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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,297	07/01/2002	Claus Pedersen	367.40918 X00	5737

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EXAMINER

NGUYEN, DUC M

ART UNIT PAPER NUMBER

2685

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/009,297

Applicant(s)

PEDERSEN ET AL.

Examiner

Duc M. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-32 is/are allowed.
- 6) ☒ Claim(s) 33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12/7/01.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### **DETAILED ACTION**

This action is in response to the applicant's response filed on 8/23/04. Claims 1-33 are now pending in the present application.

#### ***Election/Restrictions***

1. Applicant's election of group III with traverse in the reply filed on 8/23/04 is acknowledged. Since the restriction is improper, the restriction is hereby withdrawn. An action for claims 1-33 follow.

#### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 12/7/01 have been considered by the examiner.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371<sup>©</sup> of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

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published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claim **33** is rejected under 35 U.S.C. 102(e) as being anticipated by **Smether et al** (US Patent Number **6,560,640**).

Regarding claim **33**, **Smethers** discloses a communication device for accessing a sever 280 accessible via a proxy 254, the device comprising a transceiver (see Fig. 5), the transceiver being operable to establish a session with a proxy, the proxy allowing access to the server 280 such that where a further proxy provides access to said sever a connection is first formed between said proxies (see Fig. 2 and col. 9, lines 50-60), wherein it is clear that in order to access documents reside in the server 280, a connection should be formed between server 254 and server 280.

5. Claim **33** is rejected under 35 U.S.C. 102(e) as being anticipated by **Malkin et al** (US Patent Number **6,085,193**).

Regarding claim **33**, **Malkin** discloses a communication device for accessing a sever 20 accessible via a proxy 24, the device comprising a transceiver, the transceiver being operable to establish a session with a proxy, the proxy allowing access to the server 20 such that where a further proxy provides access to said sever a connection is first formed between said proxies (see Figs. 1-2 and col. 4, line 25 – col. 5, line 23), wherein it is clear that in order to access documents reside in the server 20, a connection should be formed between proxies (see Fig. 1, proxies 30, 35, 40, 50).

***Allowable Subject Matter***

6. Claims 1-32 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: As to claims 1, 12, 21, the cited prior art fails to make it obvious an apparatus or method for automatically accessing a server located in a second link via a first link which comprises steps and components as specified in the claims.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- **Martin et al** (US 6,457,060), Method and apparatus for flexibility linking to remotely located content on a network server through use of alias.
- **Gilford** (US 5,812,776), Method of providing internet pages by mapping telephone number provided by client to URL and returning the same in a redirect command by server.
- **Kling et al** (6,742,022), Centralized service management system for two-way interactive communication devices in data network.
- **Schwartz et al** (US 6,473,609), Method and architecture for interactive two-way communication devices to interact with a network.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

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Washington, D.C. 20231

**or faxed to:**

(703) 872-9314 (for formal communications intended for entry)

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington VA, Sixth Floor (Receptionist).

Any inquiry concerning this communication or communications from the examiner should be directed to Duc Nguyen whose telephone number is (703) 306-4531.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Duc Nguyen



Nov 27, 2004